



PTO/SB/21 (07-06)

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|---|----------------------|---------------------------|----------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number   | 10/063,454                |          |
|   | Filing Date          | April 24, 2002            |          |
|   | First Named Inventor | Michiel J. van Nieuwstadt |          |
|   | Art Unit             | 3748                      |          |
|   | Examiner Name        | Diem Tran                 |          |
| Total Number of Pages in This Submission  | 3                    | Attorney Docket Number    | 81078759 |

| ENCLOSURES (Check all that apply)   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to TC                            |
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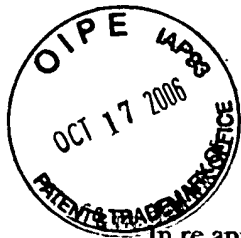
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |                 |
|--|---|-----------------|
| Firm Name                                  | Alleman Hall McCoy Russell & Tuttle LLP |                 |
| Signature                                  |   |                 |
| Printed name                               | John D. Russell                         |                 |
| Date                                       | October 17, 2006                        | Reg. No. 47,048 |

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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |                  |                       |
| Signature   |                  |                       |
| Typed or printed name   | Lauren Barberena | Date October 17, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

October 17, 2006

MICHEL J. VAN NIEUWSTADT and TOM ALAN BREWBAKER

Serial No. : 10/063,454

Group Art Unit: 3748

Filed : April 24, 2002

Examiner: Diem T. Tran

For : CONTROL FOR DIESEL ENGINE WITH PARTICULATE FILTER

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Applicants received a Notice of Allowance dated July 20, 2006, on the above-identified patent application. In the Notice, the Examiner allowed claims 5 and 18-24. The Examiner also paraphrased applicant's claimed invention as part of the stated reasons for allowance. Applicant agrees with the Examiner's conclusions regarding the patentability of the allowed claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, applicant believes that the application is allowable because the prior art fails to teach or suggest the invention as claimed, independent of how the invention is paraphrased.

Please contact the undersigned if you have any questions or comments, or if applicant can be of any assistance in expediting issuance of the patent.

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent via facsimile to the U.S. Patent and Trademark Office at (571) 273-2885 on October 17, 2006.

Lauren Barberena

Respectfully submitted,  
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